



P.B.5818 - Patentlaan 2
2280 HV Rijswijk (ZH)
☎ +31 70 340 2040
TX 31651 epo nl
FAX +31 70 340 3016

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recherche

Arunasalam, Velautha-Cumaran
Infineum UK Limited
P.O. Box 1
Milton Hill
Abingdon, Oxfordshire OX13 6BB
GRANDE BRETAGNE

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25.07.03

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2003M001/EP/VCA

Anmeldung Nr./Application No./Demande n°/Patent Nr./Patent No./Brevet n°.

03251902.7-2104-

Anmelder/Applicant/Demandeur/Patentinhaber/Proprietor/Titulaire

Infineum International Limited

COMMUNICATION

The European Patent Office herewith transmits as an enclosure the European search report for the above-mentioned European patent application.

If applicable, copies of the documents cited in the European search report are attached.

☐ Additional set(s) of copies of the documents cited in the European search report is (are) enclosed as well.

The following specifications given by the applicant have been approved by the Search Division:

☒ abstract

☐ title

☐ The abstract was modified by the Search Division and the definitive text is attached to this communication.

The following figure will be published together with the abstract: NONE

Search Rpt Rec'd Act + fin = 25/7/03 CS
MB

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REFUND OF THE SEARCH FEE

If applicable under Article 10 Rules relating to fees, a separate communication from the Receiving Section on the refund of the search fee will be sent later.





DOCUMENTS CONSIDERED TO BE RELEVANT			
Category	Citation of document with indication, where appropriate, of relevant passages	Relevant to claim	CLASSIFICATION OF THE APPLICATION (Int.Cl.7)
X A	US 5 771 873 A (ZHANG XIA ET AL) 30 June 1998 (1998-06-30) * the whole document *	7-12 1-6, 13, 14	C10M135/18 F01L3/04 //C10N10:12, 30:06, 40:25, 40:26
X A	US 6 010 987 A (PICTROSKI CHARLES FREDERICK ET AL) 4 January 2000 (2000-01-04) * claims 1-14 *	2, 14 1, 3-13	
X A	WO 99 60080 A (INFINEUM UK LTD ; INFINEUM USA LP (US)) 25 November 1999 (1999-11-25) * claims 1, 18-23 *	2, 14 1, 3-13	
X A	EP 0 811 674 A (JAPAN ENERGY CORP) 10 December 1997 (1997-12-10) * claims 1-8 *	2, 14 1, 3-13	
			TECHNICAL FIELDS SEARCHED (Int.Cl.7)
			C10M F01L
The present search report has been drawn up for all claims			
Place of search MUNICH		Date of completion of the search 18 July 2003	Examiner Perakis, N
CATEGORY OF CITED DOCUMENTS			
X : particularly relevant if taken alone Y : particularly relevant if combined with another document of the same category A : technological background O : non-written disclosure P : intermediate document		T : theory or principle underlying the invention E : earlier patent document, but published on, or after the filing date D : document cited in the application L : document cited for other reasons & : member of the same patent family, corresponding document	

**ANNEX TO THE EUROPEAN SEARCH REPORT
ON EUROPEAN PATENT APPLICATION NO.**

EP 03 25 1902

This annex lists the patent family members relating to the patent documents cited in the above-mentioned European search report. The members are as contained in the European Patent Office EDP file on
The European Patent Office is in no way liable for these particulars which are merely given for the purpose of information.

18-07-2003

Patent document cited in search report		Publication date	Patent family member(s)		Publication date
US 5771873	A	30-06-1998	DE	69807279 D1	26-09-2002
			DE	69807279 T2	06-02-2003
			EP	0874066 A1	28-10-1998
US 6010987	A	04-01-2000	AU	729795 B2	08-02-2001
			AU	6002498 A	03-07-1998
			BR	9713710 A	24-10-2000
			DE	69707714 D1	29-11-2001
			DE	69707714 T2	25-04-2002
			EP	0960178 A1	01-12-1999
			WO	9826030 A1	18-06-1998
			JP	2001515528 T	18-09-2001
			KR	2000057571 A	25-09-2000
WO 9960080	A	25-11-1999	WO	9960080 A1	25-11-1999
EP 0811674	A	10-12-1997	CA	2213075 A1	03-07-1997
			DE	69621324 D1	27-06-2002
			DE	69621324 T2	02-01-2003
			EP	0811674 A1	10-12-1997
			JP	2957012 B2	04-10-1999
			US	5916851 A	29-06-1999
			CN	1175973 A	11-03-1998
			WO	9723587 A1	03-07-1997

Extended European Search Report

This application is covered by the extended European search report pilot project at present running within the European Patent Office, applied to all European patent applications filed as first filing and searched on or after 01.07.03. Under this project the EPO issues together with the search report an opinion on whether the application and the invention to which it relates meet the requirements of the EPC. This non-binding opinion is issued free of charge as a service. This opinion may be used as the basis for an informed decision as to whether it is desired to pursue the application further or not.

For further details of this pilot project, the applicant's attention is directed to the Official Journal edition 5/2003. If any further immediate questions or comments arise the EPO Customer Services: +31-70-340 4500 or +49-89-2399 2828 can be contacted.

The examination has revealed that the application or the invention to which it relates appear **not** to meet the requirements of the Convention (see comments on enclosed Form 2906).

If the applicant wishes to continue with this application the examination fee must be paid. Where appropriate amendments can be filed to address the objections raised in the opinion, thus shortening the overall procedure. If no amendments are filed, the opinion will be re-issued as the first official communication under Article 96(2) and Rule 51(2) EPC.

If the examination fee has already been paid and the right to the communication under Article 96(1) EPC has been waived for this application, the first official communication under Article 96(2) and Rule 51(2) EPC will be issued promptly.



The examination is being carried out on the **following application documents**:

Text for the Contracting States:

AT BE BG CH CY CZ DE DK EE ES FI FR GB GR HU IE IT LU MC NL PT RO SE SI SK TR LI

Description, pages:

1-19 as originally filed

Claims, No.:

1-14 as originally filed

- 1) The following documents (D) are referred to in this communication; the numbering will be adhered to in the rest of the procedure:

D1: US-A-5 771 873

D2: US-A-6 010 987

D3: WO-A-99 60080

D4: EP-A-0 811 674

- 2) The present set of claims comprises 5 independent claims:

Claim 2 relates to a composition comprising an oil soluble organo-molybdenum compound. The subject-matter of this claim lacks novelty over the disclosure of D2-D4 (cf passages cited in the European Search Report).

Claim 14 is interpreted to relate to the use of an oil soluble organo-molybdenum compound in a lubricating composition. The subject-matter of this claim lacks novelty over the disclosure of D2-D4 (passages cited in the ESR).

Claim 7 is interpreted to relate to an internal combustion engine having one or more component parts coated with an DLC film or coating. The feature of the lubricating oil composition cannot limit the IC engine since it is not a permanent part of the engine. The lubricating composition on the DLC results only from the use of a lubricating composition in an IC engine which is, however, claimed in



claims 1,3-6 and 13. The subject-matter of claim 7 lacks novelty in view of D1 (see the claims and the comments of the applicant in the description of the present application). The claims depending on claim 7, eg claims 8-12, also lack novelty for the same reason.

Independent claims 1 and 13 are novel over the cited prior art. The friction reduction effect seems also to justify an inventive step of these claims.

- 3) The applicant is requested to file new claims which overcome the above objections.